

INSTRUCTIONS/POLICIES FOR REIMBURSEMENT OF EXPENSES PURSUANT TO IC 35-38-4-7

In 2007, the General Assembly appropriated \$1,000,000 each year for use in reimbursing certain county expenses incurred in retrying criminal cases remanded after appeal. The law places a \$50,000 cap per case and also provides that the Indiana Supreme Court, Division of State Court Administration shall prorate reimbursement if the claims in a given fiscal year exceed \$1,000,000.

In order to meet the requirements of the law, the Division, with Supreme Court approval, has established a process and time line for submitting and paying requests for reimbursements. The process is as follows:

1. Requests for reimbursement must be submitted on a form (see opposite side) prepared by the Indiana Supreme Court, Division of State Court Administration.
2. The form must be fully completed to be considered.
3. Requests may be submitted at any time during a case, but must be submitted not later than 90 days after the conclusion of the re-trial or re-sentencing, which ever is later.
4. In order to comply with the proration provisions of IC 35-38-4-7(d), requests will be paid only one time per year in June, regardless of when the claim is submitted. (E.g., a request submitted July 2, 2007, will not be considered for reimbursement until June 2008.)
5. Requests for a given fiscal year must be submitted by May 15 of the fiscal year for consideration in that fiscal year. Requests submitted after May 15 that would result in proration of requests will not be considered until the following fiscal year. (E.g., a request submitted May 16, 2008, that results in proration of requests will not be considered for payment until June 2009.)
6. IC 35-38-4-7(d) provides that the maximum amount payable **for all cases** in a fiscal year is \$1,000,000. The maximum amount payable **for all proceedings and all offenses arising out of the same facts** is \$50,000.
7. In no event will requests submitted after June 1 of a given year be considered for reimbursement in the fiscal year ending June 30 of that same year.
8. Claims should be submitted to:

Indiana Supreme Court
Division of State Court Administration
115 West Washington Street
Suite 1080 South Tower
Indianapolis, IN 46204